



Louisiana SBAP Newsletter

Vol. 13, No.3

Louisiana Small Business Assistance Program

Third Quarter 2005

Assisting small businesses to comply with environmental regulations



**We're
Ready to
Help You!**

The DEQ technical advisors listed below are experienced, highly knowledgeable, and committed to enhancing relationships between DEQ and regulated small businesses. If you qualify as a small business, call us for information or assistance in complying with environmental regulations:

Capital (Baton Rouge)

Patrick Devillier - 225/219-3260

Northwest (Shreveport/Monroe)

Larry Lashley, P.E. - 318/676-7476

Southwest (Lake Charles)

Markle Farber - 337/491-2804

Southeast (New Orleans)

Loni Gaudet - 504/736-7701

Wally Bounds, P.E. - 504/736-7767

Acadiana (Lafayette)

Mike Savoy - 337/262-5591

Felesha Jett - 337/262-1790

Toll Free

1-800-259-2890

(in Louisiana)

E-Mail: sbap@la.gov

Web site: www.deq.louisiana.gov/assistance/sbap/index.htm

Small Business Ombudsman

Nathan Levy - 225/219-3956

DEQ is Expanding its Small Business Assistance Program

by Linda Levy, Administrator, Environmental Assistance Division, Baton Rouge

The Legislature approved five new positions for DEQ's Small Business Assistance Program. These new positions will focus on delivering more proactive assistance to small businesses and small communities. These additional staff members will visit newly permitted businesses and communities to go over their permits. The object is to ensure that the businesses understand the requirements and responsibilities the permits impose.

"It's important to start folks down the right path," said Harold Leggett, Assistant Secretary for DEQ's Office of Environmental Compliance. "So many of the enforcement actions that have to be taken against smaller entities could have been avoided if people understood the permits and regulations. Most people want to comply, but many just don't know how."

The new staff members will help process some categories of minor permit actions.

"By processing the applications at the local level, the time delay

between when the application is received and when the permit is issued will be greatly reduced," said Chuck Carr Brown, Assistant Secretary for DEQ's Office of Environmental

Services. "We want to provide as much assistance as possible at the regional level so that our clients are better served."

Additionally, these staff members will be stationed at DEQ's regional offices so they can interact with small communities and provide valuable assistance to the department's Community and Industry Relations Group. The CIR group acts as a liaison between local communities and the industries that might be located near them.

Look for our new employees, coming soon to a region near you!

"We want to provide as much assistance as possible at the regional level so that our clients are better served."

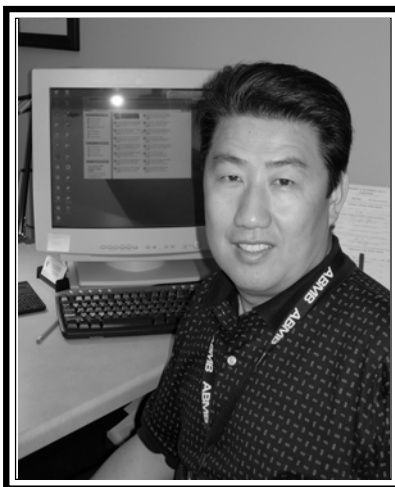
—Chuck Carr Brown, Assistant Secretary, Office of Environmental Services

Meet Yanfu Zhao, P.E. — Small Business Assistance Program Engineer Manager

The Small Business Assistance Program has a new manager, Yanfu Zhao, P.E. Mr. Zhao received his master's degree in Chemical Engineering from McNeese State University in 1992 and a Master of Science degree in Chemistry from McNeese in 1994. He received a Bachelor of Science degree in Chemical Engineering from Qinghua University, Beijing, China in 1984.

Mr. Zhao worked in DEQ's Permits Division as a permit engineer for eight years and in the Air Analysis Group, Southwest Regional Office as an engineer for four years.

"I am glad to be part of this program and this fine group of people," Zhao said. "My goal is to further reach out and better assist the small business owners and the small communities."



Notes and Observations from the National Small Business Assistance Conference Held in Biloxi, MS June 12-15, 2005

by Linda Levy, Administrator, Environmental Assistance Division, Baton Rouge Headquarters

The National Small Business Assistance conference was well-planned and well-attended. DEQ's Larry Lashley was on the national planning committee. He and his counterparts are to be commended on the quality of the programming.

Beginning at 10 a.m. on Sunday, June 12, a program-wide training session was held. It provided detailed background and guidance for state SBOs, SBAP staff, and CAP members, and helped us better understand our roles as assistance providers and advocates.

The technical breakout sessions on Tuesday and Wednesday were very informative. The challenges and concerns of moving small business assistance programs forward and incorporating a multimedia approach was an important topic for discussion. Since Louisiana has provided multimedia assistance for a long time, the angst of some states over whether or not to move in that direction is foreign to us.

Both Larry Lashley and Patrick Devillier made presentations at the conference. Larry's presentation dealt with how DEQ tracks requests for assistance and how it documents the assistance provided. An interesting presentation was made on how to measure other outcomes instead of the traditional "bean" count of assistance calls that were completed. Other methods of determining outcome are changed behavior and improved environment.

Patrick's presentation about different steps DEQ has taken to improve the process for issuing water and air permits was very informative. Representatives from other states discussed other streamlining tools they have used, such as issuing Permits by Rule. These ideas were brought back to DEQ to share with the Permits Divisions.

Many of the presentations can be viewed on-line at <http://www.smallbiz-enviroweb.org/sba/conf2005.html>.

Proposal to Exempt Area Sources from Title V Permitting

*by Larry C. Lashley, P.E.
Environmental Chemical Specialist
Shreveport Regional Office*

An EPA proposal would permanently exempt five categories of non-major "area" sources from Title V permits. These sources are subject to national emission standards for hazardous air pollutants, commonly known as NESHAP. The five source categories are dry cleaners, halogenated solvent degreasers, chrome electroplaters, ethylene oxide sterilizers and secondary aluminum smelters. In order to exempt the sources, EPA must determine that compliance with the requirements is impracticable, infeasible, or unnecessary burdensome on the facilities. The EPA proposal would not include facilities subject to the secondary lead smelter NESHAP in the exemption. A previous deferral from permitting for these categories expired on December 9, 2004. Unless the EPA finalizes an exemption, these sources will be required to submit Title V permit applications by Dec. 9, 2005.

This proposal, if finalized, would affect whether an area source regulated by NESHAP is required to obtain a Title V operating permit and whether the States are allowed to issue Title V permits to exempt sources. All other requirements of a Title V permit and NESHAP regulations would remain in effect.

For more information and copy of this proposed rule, visit EPA's web site at: www.epa.gov/ttn/oarpg/t5pfpr.html.

Small Business Links:

www.OSHA.gov (federal)
www.SCORE.org (national)
www.lsbdc.org (Louisiana Small Business Development Centers)
www.sos.louisiana.gov/comm/fss/fss-index.htm (Secretary of State's First Stop Shop)

Helpful Advice for UST System Owners from a UST Inspector

By Terry Dedon, Environmental Scientist III, Office of Environmental Compliance, Surveillance, Baton Rouge Headquarters

When a DEQ underground storage tank inspector inspects a UST system, avoidable non-compliance issues are often found. Many owners rely solely on their UST contractor to keep them in compliance. Unfortunately, some contractors may not install systems properly and/or may not maintain systems properly. To avoid common non-compliance issues, an owner should READ THE UST REGULATIONS! The UST regulations are your best resource to learn your UST system requirements. Being familiar with the requirements will allow the owner to ask the contractor proper questions such as, how does the UST system and release detection method meet the regulatory requirements? Remember, if DEQ finds areas of non-compliance, the owner – not the contractor - is held responsible.

There are typically three areas of non-compliance that affect UST system owners: (1) Release detection; (2) Corrosion protection; and (3) Record keeping.

Release detection: Release detection non-compliance carries the stiffest penalty because it is your first-line monitor for releases. If release detection is not being performed properly, a leak from the UST system may go unnoticed. A large release carries a large price tag for clean up and could involve lawsuits. If the UST system leaks and release detection is not performed properly or not performed at all, the site may not be eligible for UST Motor Fuel Trust Fund cleanup. *Note: Some release detection methods have restrictions regarding the UST systems on which*



they can be used. For example, monthly inventory control (MIR) with tank tightness testing every five years and monthly tank gauging (MTG) both have a ten year limit on their usage. Additionally, MTG cannot be used on USTs with capacities greater than 2000 gallons. For more restrictions regarding the usage of release detection methods, please refer to the UST regulations.

Corrosion protection:

Corrosion protection is included in the category of **release prevention**. Non-compliance in this area can lead to imposed penalties. If the owner's tanks and piping are made of fiberglass, the owner might think there would be no corrosion. That is true as long as **all** the components of the UST system that routinely contain regulated product are made out of fiberglass (or other non-corrodible material). If any components are constructed of metal and are in contact with ground or water, they must be protected from corrosion. The UST regulations require that any portion of the UST system that routinely contains regulated product, such as gasoline or diesel, is constructed of metal and is in contact with ground and/or water must be protected from corrosion. This includes all metal fittings, unions, and connectors found in the product piping system as well as the product piping itself and the tank are included. Metal piping components that typically require corrosion protection can be found in your dispensers and/or submerged pump containments.

Record keeping: A violation or penalty could be issued for failure to retain records as required. Without

good record keeping, it will be difficult to prove to an inspector compliance with release detection and/or corrosion protection requirements. Owners of UST systems are required to keep some records for **three (3) years**. The UST regulations are your best resource to learn record keeping requirements for your UST system.

In conclusion, UST system owners should: (1) read and become familiar with the UST regulations; (2) ensure that the release detection method being used is a correct method for their UST systems and it is being performed properly; (3) be familiar with their UST systems with regard to corrosion protection; and (4) keep proper and complete records.

For more information on release detection requirements, corrosion protection requirements, record keeping requirements, and for the definition of an UST owner, refer to the UST Regulations and call your local DEQ Regional office.

A printable copy of the regulations can be found at:

<http://www.deq.louisiana.gov/planning/regs/title33/33v11.doc>

DEQ now offers free UST training classes several times a year in your area. For class schedules and locations, go to:

<http://www.deq.louisiana.gov/notices/2005USTTrainingSchedule.pdf> .

Reminder Dates:

- JUL 1** PERC Rpt. due for calendar year 2004
TEDI
Form R (TRI)
Minor Source Air Toxic Rpt.
- JUL 28** Semiannual & Quarterly Discharge Monitoring Rpt.
- AUG 1** Annual Report for generators, processors, disposers of solid waste
- SEPT 15** Asbestos & Lead Workshop DEQ
Conference Ctr.-BTR
- SEPT 30** Title V Semi-annual Monitoring Rpt.
- OCT 28** Quarterly Discharge Monitoring Rpt. (DMRs)



**Do You Need
a Speaker at
Your Next
Safety
Meeting? Call
us at 1-800-259-2890**

THE MYER GUIDE

“Managing Your Environmental Responsibilities: A Planning Guide for Construction and Development” is a new release of EPA’s Compliance assistance guide for the construction industry. This guide reflects significant input from stakeholders and is the product of joint effort by the industry, states, other federal agencies, non-governmental organizations and EPA. It is designed to help the construction industry understand which environmental regulations apply to them, and it can be used during different phases of a construction project. For an electronic copy of the guide, visit web site: www.cicacenter.org/links, or for a hard copy, call the National Service Center for Environmental Publications at 800-490-9198 and specify Document No. EPA305-B-04-003 when you request a copy.



**NEW GUIDANCE DOCUMENT FOR DRY CLEANERS**

The Occupational Safety and Health Administration has published a new guidance document to help dry cleaning establishments reduce employee exposures to perchloroethylene. The 28-page document, “Reducing Worker Exposure to Perchloroethylene (PERC) in Dry Cleaning,” is available and can be downloaded at the web site: www.osha.gov/dsg/guidance/perc.html. In the introduction it says, “This booklet is not a standard or regulation, and it creates no new legal obligations. The document is advisory in nature, informational in content, and is intended to assist employers in providing a safe and healthful workplace.” The publication also provides information on training, personal protective equipment, and some new technologies available to the dry cleaning industry.



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